GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants — Allegation of corruption against Sri Addagabottu Dayanandam, S/o Sri Narasaiah, age 60-yrs, Deputy Educational Officer (FAC), Ongole Division, Prakasam District (Now retired) - Trap case was initiated on 11.05.2018— Sanction of Prosecution— Orders —Issued.

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SCHOOL EDUCATION (VIG) DEPARTMENT

G.O.MS.No. 26 Dated: 30-03-2021

ORDER:

Whereas, Sri Addagabottu Dayanandam worked as Deputy Educational Officer (FAC), Ongole Division from 19.05.2017 to 11.05.2018. By virtue of the post held by him, he falls under the category of a Public Servant as defined u/s 2 (C) of P.C. Act, 1988.

2. And whereas, on 08.05.2018 at 13.00 hrs, Sri Gudipudi Haribabu S/o late Sri Venkateswarlu, age 52-yrs, Secretary-cum-Correspondent, Chaitanya High School, Venkateswara Colony Extension, Ongole Town, Prakasam District came to O/o the DSP, ACB, Ongole and presented a Telugu written report stating that he is resident of Venkateswara Colony Extension, Ongole. They are running Chaitanya High School in the name as Chandra Rajeswara Rao Educational Society which was established by Sri G.Haribabu, his wife and others during the year 2013. Sri G.Haribabu is the Secretary-cum-Correspondent to the said school. They obtained permission from the Regional Joint Director of School Education, Guntur on 23.11.2017 for conducting classes from I to X in their High school. In the month of December 2017, Sri G. Haribabu submitted application in the O/o Dy. E.O. duly enclosing all necessary documents for issuing provisional recognition for classes VI to X to his school in the O/o Dy.EO, Ongole. Dy. Educational Officer (FAC) has to inspect the school of Sri G. Haribabu and submit his inspection report to District Educational Officer, Ongole for granting provisional recognition for classes VI to X to the school of Sri G. Hari Babu. In turn the DEO has to forward the proposals to the Regional Joint Director of School Education, Guntur who will issue the proceedings with regard to provisional recognition to the school of Sri G.Haribabu. On receiving the application of Sri G. Haribabu, the Dy. EO Sri A. Dayanandam, Junior Assistant-cum-CC to Deputy Educational Officer Sri Baddipudi Gnaneswara Rao inspected the school of Sri G. Haribabu during April 2018. Even after one month of the visit the Dy. EO Sri A. Dayanandam did not submit his inspection report to the DEO recommending for issuing provisional recognition of classes to VI to X to the school of Sri G. Haribabu. As such, on 02.05.2018, Sri G.Haribabu went to Dy. EO's Office which is located in an Anganwadi Building near Parvatamma Temple, Gantapalem, Ongole and met Sri B.Gnaneswara Rao, CC to Dy.EO and requested him to forward the inspection report of the Dy.EO Sri A. Dayanandam to the O/o. DEO, Ongole for granting provisional recognition of classes to VI to X to their school at an early date. On which Sri B. Gnaneswara Rao, CC to Dy. EO stated that he has to prepare the inspection report of the Dy. EO Sri A. Dayanandam, put his signature on it and then put the file for the signature of the Dy.EO Sri A. Dayanandam and after the Dy. EO Sri A. Dayanandam puts his signatures on the inspection report, it will be sent to the DEO Office. For preparing the inspection report and for getting it signed by the Dy. EO Sri A. Dayanandam, Sri B.Gnaneswara Rao demanded Sri G. Haribabu to pay bribe of Rs.5000/- to him. He also stated that Sri G.Haribabu has to pay bribe amount of Rs.15,000/- to the Dy. EO Sri A. Dayanandam also. Sri B.Gnaneswara Rao suggested Sri G.Haribabu to meet Sri A. Dayanandam. Accordingly, Sri G.Haribabu met the Dy.EO Sri A. Dayanandam in his office on the same day and informed him about the demand of bribe amount by his CC Sri B.Gnaneswara Rao, the Dy. EO Sri A. Dayanandam supported the said act of Sri B.Gnaneswara Rao and instructed Sri G.Haribabu to follow the

instructions of his CC Sri B.Gnaneswara Rao. Sri G Haribabu informed to the Dy. EO Sri A. Dayanandam that he was not interested in paying the bribe amount and went away. Later, on 08.05.2018 Sri G.Haribabu once again went to the office of Dy.EO Sri A. Dayanandam and met Sri B. Gnaneswara Rao and requested him to submit the inspection report of the Dy. EO Sri A. Dayanandam to the DEO to grant provisional recognition of classes to VI to X to their school. On which Sri B.Gnaneswara Rao reiterated his earlier demand for payment of bribe amount and further stated that his work would be completed only after he pays the bribe amount demanded by him and the Dy. EO Sri A. Dayanandam. Having no other option Sri G.Haribabu agreed to pay the amount as demanded by Sri B.Gnaneswara Rao and Dy. EO Sri Dayanandam within 2 or 3 days. Sri B.Gnaneswara Rao asked Sri G.Haribabu to bring the amount and pay the amount to him in his office. At that juncture, Sri G.Haribabu enquired with Sri B. Gnaneswara Rao whether the Dy.EO Sri A. Dayanandam was present in the office with an intention to meet the Dy. EO Sri A.Dayanandam and request him to reduce the bribe amount, Sri B.Gnaneswara Rao CC to Dy.EO informed to Sri G.Haribabu that the Dy. EO Sri A. Dayanandam was not present in the office and he was available in St. Therisa High School, Ongole, where spot valuation was going on. Sri G.Haribabu immediately left Dy. EO office, Ongole, went to St. Therisa High School, and met the Dy.EO Sri A. Dayanandam and requested him to send his inspection report to DEO Office, Ongole recommending for granting provisional recognition of classes to VI to X to their school. The Dy. EO Sri A. Dayanandam also reiterated his demand of bribe amount and assured that he would send the report provided Sri G.Haribabu pays the bribe amount. When Sri G. Haribabu informed the Dy. EO Sri A. Dayanandam that he cannot afford to pay that much amount, the Dy. EO Sri A. Dayanandam reduced the bribe amount to Rs.10,000/-. Sri G. Haribabu unwillingly agreed to pay the demanded bribe amount to the Dy. EO Sri A. Dayanandam and informed that he will bring the amount in 2 or 3 days. The Dy. EO Sri A. Dayanandam asked Sri G.Haribabu to bring the amount to his office and give it either to him or to his CC Sri B.Gnaneswara Rao. And whereas, Sri G. Haribabu was not willing to give bribe amount to the Dy. EO Sri A. Dayanandam and Sri B. Gnaneswara Rao and he gave a report to the DSP, ACB, Ongole on 08.05.2018.

3. After following due procedure, the DSP, ACB, Ongole registered the said report on 11.5.2018 as a case in Cr.No. 5/RCT-OGL/2018 u/s 7 of the P.C. Act, 1988 of ACB, Prakasam district, Ongole and organized to lay trap against Sri Addagabottu Dayanandam and Sri Baddepudi Gnaneswara Rao.

4. And whereas, on the date of trap proceedings on 11.05.2018, Sri Baddipudi Gnaneswara Rao, Junior Assistant-cum-CC to Deputy Educational Officer was caught red-handed in O/o the Dy. E.O, Ongole division situated in Vaddepalam Anganwadi Pre-School Building, near Parvatamma Temple, Gantapalem, Ongole when he further demanded and accepted his part of bribe amount of Rs.5,000/- from Sri Gudipudi Haribabu. The right hand fingers of Sri Baddipudi Gnaneswara Rao and polythene cover which came in contact with tainted currency, yielded positive result when they were subjected to sodium carbonate solution test. When the DSP questioned Sri Baddipudi Gnaneswara Rao about the presence of the Dy.E.O. Sri A. Dayanandam, Sri B.Gnaneswara Rao informed that Sri Dayanandam was available in Nyayaseva Sadan of Court Complex, Ongole as he is attending to Lok Adalat. When the DSP questioned Sri B. Gnaneswara Rao forwarding inspection report by Dy. E.O. Sri A. Dayanandam, he stated that the Dy. E.O Sri A. Dayanandam also demanded bribe of Rs.10,000/- from Sri G. Haribabu to forward inspection report to the District Educational Officer. He also stated that the Dy.E.O. Sri A. Dayanandam instructed him to receive the amount of Rs.10,000/-, Sri G. Hari Babu pays the said amount in his absence and keep the amount with him that he would receive the same later. Sri B. Gnaneswara Rao stated that as he is not inclined to receive Rs.10,000/- from Sri G. Haribabu on behalf of the Dy. E.O Sri A. Dayanandam, informed to Sri G. Haribabu that the Dy. E.O. Sri A. Dayanandam is available in Nyayaseva Sadan at Court Complex, Ongole and suggested Sri G. HariBabu to pay the

amount of Rs.10,000/- directly to Dy. E.O. Sri A. Dayanandam. The DSP kept surveillance over Sri Gnaneswara Rao and proceeded to the Court premises of Ongole. After reaching the Court premises Sri G. Haribabu went into the Court premises. After some time, he returned to the DSP and informed that the Deputy Education Officer Sri Dayanandam was not found in the premises of the Court. The DSP instructed the ASI Kareemulla and PC 323 to trace out the whereabouts of Sri Dayanandam and left to the office of the Dy. E.O. to complete the post-trap proceedings in respect of Sri B. Gnaneswara Rao. While the post trap proceedings were in progress, ASI Kareemulla and PC 323 came to the DSP along with the Deputy Educational Officer Sri Dayanandam. When the DSP enquired with the Dy. E.O. Sri A. Dayanandam he stated that on knowing about the trap laid against B. Gnaneswara Rao, apprehending troubles, he did not go to his house, took shelter in the house of one of his friends after confirming with his family members that nobody came to his house, he went to his house at 7.30 pm and within 15 minutes, the ACB staff came to his house and asked him to accompany them to his office. During post trap proceedings Sri B. Gnaneswara Rao who is the CC to the Dy.E.O. Sri A. Dayanandam produced the records pertaining to the school of Sri G. Haribabu which contains 1 to 190 sheets. Sheet Nos. 1 to 4 of the report of Sri Dayanandam addressed to the District Educational Officer, Prakasam District, Ongole in R.C.No. 05/Dy.E.O./2018, dt. 10.05.2018 pertaining to provisional recognition to classes V1 to X in Chaitanya High School, Venkateswara Colony Extension, Ongole. In the inspection report, it was mentioned that the Dy.E.O. Sri Dayanandam visited Chaitanya High School on 04.04.2018. The report bears the signature of Dy.E.O. Sri Dayanandam dated 10.05.2018, the signature of the C.C. Gnaneswara Rao dated 10.05.2018, which has to be sent by Sri A. Dayanandam, to the DEO, Ongole. Thus official favour was pending with Sri Dayanandam by the date of trap. Though, Sri A. Dayanandam did not receive the bribe amount, as per the provisions of the Prevention of Corruption Act, 1988, the acts of Sri A. Dayanandam in demanding the bribe amount of Rs.10,000/- from Sri G. Haribabu would fall under the ambit of Sec. 7 of P.C. Act, 1988.

5. And whereas, the investigation discloses that on 2.5.2018 Sri G. Haribabu met Sri B. Gnaneswara Rao, the C.C. to Dy.E.O Sri A. Dayanandam and requested to forward the inspection report to the DEO, Ongole. On which Sri B. Gnaneswara Rao demanded Sri G. Haribabu to pay bribe of Rs.5,000/- to him and Rs.15,000/- bribe to the Dy.E.O. Sri A. Dayanandam also. Sri B. Gnaneswara Rao suggested Sri G. Haribabu to meet Sri A. Dayanandam. Accordingly, Sri G. Haribabu met the Dy.E.O. Sri A.Dayanandam in his office on the same day and informed him about the demand of bribe amount by his CC Sri B. Gnaneswara Rao, the Dy. E.O. Sri A. Dayanandam supported the said act of Sri B. Gnaneswara Rao and instructed Sri G. Haribabu to follow the instructions of his CC Sri B. Gnaneswara Rao. The said acts clearly establish that Sri A. Dayanandam and Sri B. Gnaneswara Rao had common intention to extract bribe from Sri G.Haribabu for forwarding inspection report to the DEO, Ongole.

6. And whereas, the above said acts of Sri Addagabottu Dayanadam, formerly worked as Dy. E.O. (FAC) constitute an offence punishable under section 7 of Prevention of Corruption Act 1988 r/w section 34 of IPC.

7. And whereas, the Government of Andhra Pradesh, Amaravati being the competent authority to remove the said Sri Addagabottu Dayanadam, Deputy Educational Officer (FAC) from his service, after fully and carefully examining the material i.e. copy of FIR, copies of Mahazars and Final Report of DG, ACB placed before the Government in respect of the aforesaid allegations and having satisfied with regard to the circumstances of the case, consider that Sri Addagabottu Dayanadam, formerly worked as Dy. Educational Officer (FAC) should be prosecuted in a Court of Law for the above said offences.

8. Now, therefore, in exercise of the powers conferred under clause (b) of Sub Section (1) of Section 19 of the Prevention of Corruption Act, 1988 by the Government of Andhra Pradesh, Amaravati hereby accord sanction for the prosecution of Sri Addagabottu Dayanadam, formerly worked as Deputy Educational Officer (FAC), Ongole Division for the offence punishable under section 7 of Prevention of Corruption Act, 1988 r/w Sec. 34 IPC and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the above said acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJSEKHAR
PRINCIPAL SECRETARY TO GOVT.

To
The Director General, Anti-Corruption Bureau, AP, Vijayawada.

// FORWARDED BY ORDER //

SECTION OFFICER